

Supplementary Order Paper

LEGISLATIVE COUNCIL

Friday, the 4th Day of October, 1946

SOIL CONSERVATION AND RIVERS CONTROL AMENDMENT BILL

Hon. Mr. McLAGAN, in Committee, to move the following amendments:—

Clause 9, subclause (2): To omit, from lines 5 and 6, the words “, one of whom shall be nominated by the special river or drainage district which is the subject of the petition,”.

To add the following proviso:—

Provided that if an objection is duly lodged by the special drainage or river authority to which the petition relates the Commission shall consist of a Magistrate and two other persons of whom one shall be nominated by the special drainage or river authority, unless the special drainage or river authority refuses to make a nomination in which case the Commission shall consist of a Magistrate alone.

Clause 10, subclause (1): To omit from line 18 the words “ or if no Commission has been appointed ”, and substitute the words “ or if the special drainage or river authority has not duly lodged an objection ”.

Clause 10, subclause (2): To omit from lines 33 and 34 the words “ may, if it thinks fit ”, and substitute the words “ if it thinks fit may, subject to the provisions hereinafter contained,”.

Clause 10, new subclauses: To add the following new subclauses to clause 10:—

(3) Except as provided in subsection *four* of section *thirteen* of this Act, the powers of a special drainage or river authority of making and levying rates shall not be exercised by the Catchment Board after the expiration of six years from the date of the coming into force of the Order in Council, and rates levied or collected by the Catchment Board under the authority of this section shall be applied only for purposes for which rates could have been applied by the special drainage or river authority and shall not be applied towards the construction or maintenance of any works which were not in existence or under construction on the coming into force of the Order in Council.

(4) On the dissolution pursuant to section one hundred and forty-two of the principal Act of any internal Drainage Board or River Board, the provisions of subsections *two* and *three* of this section shall extend and apply with the necessary modifications for a period of six years from the date of the dissolution aforesaid, notwithstanding that the drainage district or river district has been abolished, as if the Board dissolved were a special drainage or river authority.

Clause 11, subclause (1): To omit from line 19 the words "no Commission has been appointed", and substitute the words "the special drainage or river authority has not duly lodged an objection".

Clause 13, subclause (1): To omit the word "general" from line 10.

To add the following words and proviso at the end of the subclause:—

and the classification and proportions shall thereupon be in force as if made for the purposes aforesaid by the Catchment Board under the principal Act, and shall continue in force for such period as may be determined by the Catchment Board expiring not later than six years after the dissolution of the Board or authority of the district which has been abolished:

Provided that no part of the proceeds of any separate rate levied pursuant to a classification so adopted shall be applied towards the construction or maintenance of any works which were not in existence at the time of the dissolution of the aforesaid Board or authority.

Clause 13, subclause (2): To omit the words from "the classification", in line 23, to "in force", in line 26.

To insert, in line 26, after the word "shall", the words ", while the classification and proportions remain in force,".

Clause 14, subclause (2): To add the following words at the end of the subclause: "notwithstanding that the County Council may not have abolished the district as aforesaid."
